

KATE McKENNA, AICP  
Executive Officer

**MINUTES OF THE  
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**  
*Adopted on August 21, 2008*

***An audio recording of this meeting is available at the LAFCO office. Please contact us  
at (831) 754-5838 to arrange a time to listen or to order a copy.***

**Regular Meeting**

**Monday, June 23, 2008, 4:00 p.m.**

**Board of Supervisors Chambers  
Monterey County Government Center  
168 West Alisal St., First Floor  
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair DiMaggio at 4:07 p.m. in the Monterey County Board of Supervisors Chambers. Chair DiMaggio led the Pledge of Allegiance.

**ROLL CALL**

**Members Present**

Commissioner DiMaggio, Chair (*Public Member*)  
Commissioner Donohue, Vice-Chair (*City Member*)  
Commissioner Calcagno (*County Member*)  
Commissioner Darington, Alternate (*Public Member*)  
Commissioner Gourley, Alternate (*City Member*)  
Commissioner McGowan (*Special District Member*)  
Commissioner Perkins (*Special District Member*)  
Commissioner Rubio (*City Member*)  
Commissioner Salinas (*County Member*)

**Members Not Present, Presence Not Required**

Commissioner Armenta, Alternate (*County Member*)

**Staff Present**

Kate McKenna, AICP, Executive Officer  
Thom McCue, AICP, Senior Analyst  
Leslie Girard, LAFCO General Counsel  
Richard Egger, LAFCO Special Counsel – Via Telephone for Closed Session  
Rachelle Jones, LAFCO Clerk

**Item 4: Special Business**

**4.a Introduction of LAFCO General Counsel Leslie J. Girard – Assistant County Counsel.**

Frank Tiesen, former LAFCO general counsel, introduced new LAFCO general counsel, Leslie Girard. Mr. Girard provided brief oral presentation about his background and his new position.

**4.b Recognition of Commissioner Peggy Shirrel.**

Chair DiMaggio read the resolution of appreciation for Commissioner Peggy Shirrel.

Upon Motion of Commissioner Calcagno, seconded by Commissioner McGowan, Resolution of Appreciation for Commissioner Peggy Shirrel, was unanimously approved.

Following Adoption of the resolution of appreciation, Chair DiMaggio presented the resolution to Commissioner Shirrel on behalf of the Commission. Commissioner Shirrel spoke about the importance of LAFCO and how she enjoyed her time on the Commission.

The Commission spoke about the valuable Special District representation that Commissioner Shirrel provided and said that she will be missed.

**Item 5: Minutes**

**5.a Approval of Minutes of the May 19, 2008 Regular LAFCO Meeting.**

Upon Motion of Commissioner Calcagno, seconded by Commissioner Donohue, minutes of the May 19, 2008 regular LAFCO meeting, were approved by the following vote:

A YES: Commissioner Calcagno, McGowan, DiMaggio, Donohue, Perkins, and Salinas  
NOES: None  
ABSTAIN: Commissioner Rubio  
ABSENT: None

**Item 6: Public Comment:**

None

**Item 7: Commissioner Comment:**

None

**Item 8 (a-e): Consent Agenda:**

Upon Motion of Commissioner Gourley, seconded by Commissioner Perkins, Consent Agenda Items: Approve the Register of Checks Paid in May 2008; Receive Legislation Status Report; Receive List of Anticipated Future Agenda Items; Resolution to Approve an Interim Memorandum of Agreement between City of Greenfield, County of Monterey and LAFCO in Partial Fulfillment of a Condition of Approval Relating to the City's Comprehensive Sphere of Influence Update (*LAFCO File #06-10*; Change in 2008 Regular Meeting Schedule to Cancel July 28 Meeting and add Thursday, August 21 Meeting at 4 P.M., were unanimously approved.

**Item 9: Public Hearing**

**9.a Consider a Resolution to Approve an Amendment of LAFCO's Schedule of Fees and Deposits. *Continued from the April 28, 2008 LAFCO meeting.***

Executive Officer McKenna provided staff report.

There was no public comment for this public hearing item.

**Commission action**

Upon Motion of Chair Rubio, seconded by Commissioner Salinas, Resolution Approving the Amendment of LAFCO's Schedule of Fees and Deposits effective on July 23, 2008, was unanimously approved.

**Item 10: Closed Session**

**10.a Pursuant to Government Code Section 54956.9 (a) – Existing Litigation**

**The Commission Conferred with LAFCO Legal Counsel Regarding the Following Item:**

**“Carmel Valley Forum, Inc. (Petitioner) vs. Local Agency Formation Commission of Monterey County (Respondent),” Superior Court Case Number M83394**

The meeting was called into closed session by Chair DiMaggio.

Chair DiMaggio reopened the meeting from closed session with no reportable action.

**Item 11: Old Business**

**a. Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*)**

- i. Report from Closed Session (if any)**
- ii. Discussion**
- iii. Consider taking the following potential actions:**

- (a) **Approve a work program and schedule, and direct the Executive Officer to proceed in its implementation;**
- (b) **Approve an Agreement for Professional Services with Economic & Planning Systems for the purpose of updating the Comprehensive Fiscal Analysis for the Incorporation of Carmel Valley, for an amount not to exceed \$25,000, and authorize the Executive Officer to execute the agreement;**
- (c) **Adopt a resolution approving Amendment #3 of the Fiscal Year 2007-2008 budget;**
- (d) **Adopt a resolution approving Amendment #1 of the Fiscal Year 2008-2009 budget; and**
- (e) **Approve a Reimbursement Schedule for payment by the Carmel Valley Forum.**

Upon Motion of Chair DiMaggio, having no objections, Item 11 was unanimously pulled from this agenda and continued to a special LAFCO meeting to be held on Thursday, July 3, 2008 at 3:00 p.m.

## **Item 12: New Business**

### **12.a Consider Establishing an Ad Hoc Legal Services Committee and make Appointments to the Committee.**

Executive Officer McKenna provided staff report.

Upon Motion of Chair DiMaggio, having no objections, the Ad Hoc Legal Services Committee was established with Commissioners DiMaggio and Donohue appointed to serve on the committee.

### **12.b Consider Report on Attendance at 2008 CALAFCO Annual Conference.**

Executive Officer McKenna provided staff report.

The Commission unanimously approved Attendance at the 2008 CALAFCO Annual Conference by LAFCO staff and Commissioners DiMaggio, Gourley, and Salinas.

### **12.c Consider Report on Nominations for 2008 CALAFCO Achievement Awards.**

Executive Officer McKenna provided staff report.

No nominations were received, at this time, for the 2008 CALAFCO Achievement Awards.

### **12.d Consider Report on Nominations for 2008 CALAFCO Board of Directors.**

Executive Officer McKenna provided staff report.

Upon Motion of Commissioner Calcagno, seconded by Commissioner DiMaggio, Commissioner Gourley was unanimously nominated for another term on the CALAFCO Board of Directors.

**12.e Consider Report on Appointment of Voting Delegates at 2008 CALAFCO Annual Conference.**

Executive Officer McKenna provided staff report.

Upon Motion of Commissioner Calcagno, seconded by Commissioner McGowan, Commissioner Gourley was appointed as voting delegate and Commissioners DiMaggio and Salinas as alternate voting delegates at the 2008 CALAFCO Annual Conference.

**Item 13: Executive Officer's Report**

Executive Officer McKenna provided an update on the recruitment process for the vacant part-time LAFCO analyst position.

**Item 14: Correspondence**

There were no additional items of correspondence.

**Item 15: Election of Chair and Chair Pro Tempore for a Term Ending In May 2009.**

Upon Motion of Commissioner Calcagno, seconded by Commissioner Rubio, Commissioner Donohue was elected as Chair and Commissioner Salinas as Chair Pro Tempore for a Term Ending in May 2009, unanimously.

**Item 16: Adjournment**

On motion of Chair DiMaggio, there being no objections, the meeting was unanimously adjourned at 5:45 p.m. to a special LAFCO Meeting to be held on Thursday, July 3, 2008 at 3:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California

Respectfully Submitted,

Rachelle Jones  
LAFCO Clerk